

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RONALD WILLIAMS, JANN WILLIAMS,)
)
 Plaintiffs,)
 vs.)
)
 NATIONAL DEFAULT SERVICING CORP.)
et al.,)
)
 Defendants.)
)

Case No.: 2:16-cv-1860-GMN-NJK

ORDER

Pending before the Court is an Ex Parte Motion for Restraining Order (ECF No. 69) filed by pro se Plaintiffs Ronald and Jann Williams (“Plaintiffs”)¹ against Defendants National Default Servicing Corporation, Duke Partners II, LLC, Michael A Bosco, Wendy Van Luven, and Carmen Navejas (collectively, “Defendants”).

Concurrent with this case, the parties also have an Unlawful Detainer Action in Justice Court. (Pls.’ Mot. for Prelim. Inj. 9:7–13, ECF No. 48). On October 25, 2016, Plaintiffs filed a Motion for Preliminary Injunction requesting that the Court issue an order “enjoining jurisdiction of the Justice Court on the Case brought by the defendant for unlawful detainer . . . including vacating the hearing on the Order to Show Case [sic] set for November 9, 2016.” (*Id.* 9:7–13). On October 27, 2016, the Court denied Plaintiffs’ motion explaining that the Anti-Injunction Act prohibits a “court of the United States” from granting “an injunction to stay proceedings in a State court.” 28 U.S.C. § 2283. As such, the Court found that the requested relief of enjoining the Unlawful Detainer Action currently underway in the Las Vegas Justice

¹ In light of Plaintiffs’ status as pro se litigants, the Court has liberally construed their filings, holding them to standards less stringent than formal pleadings drafted by attorneys. *See Erickson v. Pardus*, 551 U.S. 89, 94 (2007).

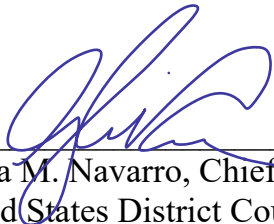
1 Court “is barred by the Anti-Injunction Act’s prohibition against enjoining ‘proceedings in
2 State court.’” (Order on Prelim. Inj. 4:8–9, ECF No. 52).

3 Plaintiffs’ instant motion asks this Court to enjoin the enforcement of the “Temporary
4 Writ of Restitution” issued by the Las Vegas Justice Court. (Mot. Restraining Order 1:25–27,
5 ECF No. 69). As explained in the Court’s previous Order, “It is settled that the prohibition of
6 § 2283 cannot be evaded by . . . prohibiting utilization of the results of a completed state
7 proceeding.” *Atl. Coast Line R. Co. v. Bhd. of Locomotive Eng’rs*, 398 U.S. 281, 287 (1970).
8 In other words, “the term ‘proceedings’ in the Anti-Injunction Act does not merely apply to
9 ongoing litigation before a state tribunal—the Act also bars injunctive relief which prevents a
10 victorious state litigant from executing a state judgment.” *Pelfresne v. Vill. of Williams Bay*,
11 865 F.2d 877, 879 (7th Cir. 1989). As such, here, even though the Justice Court proceeding has
12 concluded with a “Temporary Writ of Restitution,” this Court cannot interfere with the
13 enforcement of the Justice Court’s Order.

14 Accordingly,

15 **IT IS HEREBY ORDERED** that Plaintiffs’ Motion for Restraining Order (ECF
16 No. 69) is **DENIED**.

17 **DATED** this 23 day of November, 2016.

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22 Gloria M. Navarro, Chief Judge
23 United States District Court
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